

PS 8  
(8/88)

## United States District Court

JUL - 9 2008

for

For The Northern Mariana Islands  
By \_\_\_\_\_  
(Deputy Clerk)

DISTRICT OF THE NORTHERN MARIANA ISLANDS

U.S.A. vs: James Ochcha

Docket No.

08-00017-003

## Petition for Action on Conditions of Pretrial Release

COMES NOW Margarita DLG. Wonenberg PRETRIAL SERVICES OFFICER  
presenting an official report upon the conduct of defendant James Ochcha  
who was placed under pretrial release supervision by the Honorable Alex R. Munson, Chief Judge  
sitting in the court at Garapan, Saipan on the 23<sup>rd</sup> d a t e o f May, 20 08  
under the following conditions:

- *Reside with and remain in the custody of the third-party custodian. The third-party custodian shall report any violations of release conditions to the U.S. Probation Office. The defendant shall be restricted to the residence of his third party custodian everyday from 6pm to 6am;*
- *The defendant shall refrain from any use of alcohol*

## RESPECTFULLY PRESENTING PETITION FOR ACTION OF COURT FOR CAUSE AS FOLLOWS:

(If short insert here; if lengthy write on separate sheet and attach)

Please refer to attached narrative.

## PRAYING THAT THE COURT WILL

Pursuant to 18 U.S.C. §3148, order that a summons be issued, and that this matter be set for a hearing, and at that hearing, the defendant be held to answer or show cause why bail should not be revoked or why conditions of release should not be modified, or for any other matter for which the Court may deem just and proper.

## ORDER OF COURT

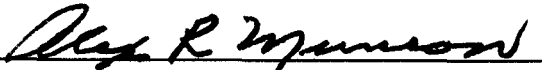
ISSUE A SUMMONS ☒ Respectfully,

ISSUE A WARRANT ( )

NO ACTION ( )

TO APPEAR  
7-10-08  
11:30 AM

Considered and ordered this 9<sup>TH</sup> d a y  
of July, 20 08 and ordered filed  
and made a part of the records in the above  
case.



The Honorable Alex R. Munson  
Chief Judge

  
MARGARITA DLG. WONENBERG  
U.S. Pretrial Services Officer
Place: Garapan, Saipan

Date: \_\_\_\_\_

**UNITED STATES DISTRICT COURT  
FOR THE  
NORTHERN MARIANA ISLANDS**

UNITED STATES OF AMERICA	)	USDC Cr.Cs. No. 08-00017-003
Plaintiff,	)	
	)	
vs.	)	<b>VIOLATION REPORT</b>
	)	
JAMES OCHCHA	)	
Defendant.	)	
	)	

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On May 16, 2008, the Defendant, James Ochcha appeared for an Initial Appearance Hearing on an Indictment which charged Ct. I: Conspiracy to Sell Government Property, in violation of 18 U.S.C. §§ 371 and 641; Ct. II: Theft of Government Property, in violation of 18 U.S.C. §§ 371 and 641; Ct. III: Destruction of Veteran's Memorials, in violation of 18 U.S.C. § 1369. The defendant, through Defense Attorney, Robert T. Torres, pled not guilty to the charges. The Court set jury trial and ordered the defendant remanded to the custody of the U.S. Marshals until further order.

On May 23, 2008, the defendant appeared for a Bail Hearing and was released to conditions, to include: \$10,000 unsecured bond; third party custodian under Atenina Romino, defendant's cousin; pretrial supervision; surrender passport and not obtain any passport; not leave Saipan without written permission from the court; refrain from possessing a firearm; refrain from any use of alcohol; refrain from use or unlawful possession of a narcotic drug or other controlled substance; submit to any method of testing required by the pretrial services officer or the supervising officer for determining whether the defendant is using a prohibited substance; refrain from obstructing or attempting to obstruct or tamper with the efficiency and accuracy of any prohibited substance testing or electronic monitoring which is required as a condition of release; submit to curfew and be restricted to his residence from 6:00 p.m. to 6:00 a.m.; reside with and remain in the custody of the third party custodian. The third party custodian shall report any violation of release conditions to the United States Probation Office at 236-2990; not relocate from the residence of his third party custodian without permission from the court.

On July 3, 2008, through Counsel, Robert T. Torres, the defendant pled guilty to the charges. The Court accepted the pleading and set sentencing for October 10, 2008. On the same day pursuant to a motion by Mr. Torres, the court granted a modification to the defendant's third party custodian, and appointed Piriky Romino, the sister of Atenina Romino, as substitute third party custodian. The defendant was released to conditions previously imposed. He is alleged to have violated conditions of his pretrial release:

**Condition of Release:** *Reside with and remain in the custody of the third-party custodian. The third-party custodian shall report any violations of release conditions to the U.S. Probation Office. The defendant shall be restricted to his residence every day from 6pm to 6am.*

**Violation Report**

**Re: James Ochcha**

**Criminal Case No.: 08-00017-003**

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On July 9, 2008, this officer received information from Mr. Robert T. Torres who advised that on July 7, 2008, James Ochcha left the residence of his third party custodian and thought to be staying somewhere on one of the beaches on Saipan.

On the same day, this officer contacted Piriky Romino who stated that James Ochcha left her residence on July 7, 2008 and did not return until the next day. Mr. Ochcha was interviewed and questioned as to his whereabouts on July 7, 2008. He stated that he left his third party custodian's residence to be with his sick cousin who is homeless and sleeps at the beach across from Aquarius Beach Tower.

**Condition of Release:** *The defendant shall refrain from any use of alcohol.*

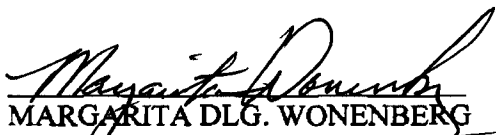
On July 9, 2008, this officer received information from Mr. Robert T. Torres who advised that on July 7, 2008, James Ochcha consumed alcohol at the residence of his third party custodian. This officer contacted Piriky Romino who advised that Mr. Ochcha consumed alcohol despite her pleading to him to refrain from the substance. This officer interviewed Mr. Ochcha and he insists that he had not consumed any alcohol.

**Recommendation:** This officer respectfully submits that pursuant to 18 U.S.C. §3148, the court order that a summons be issued, and that this matter be set for a hearing, and at that hearing, the defendant be held to answer or show cause why bail should not be revoked or why conditions of release should not be modified, or for any other matter for which the Court may deem just and proper.

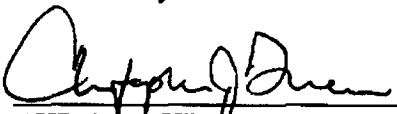
Respectfully submitted this 9<sup>th</sup> day of July 2008.

ROSSANNA VILLAGOMEZ-AGUON  
Chief U.S. Probation Officer

By:

  
MARGARITA DLG. WONENBERG  
U.S. Probation Officer

Reviewed by:



CHRISTOPHER DUENAS  
U.S. Probation Officer Specialist  
Investigation Unit Leader

cc: Beverly McCallum, Assistant United States Attorney  
Robert T. Torres, Defense Attorney  
File